



PLANNING COMMISSION

Department of Urban Planning & Design P. O. Box 27210 Tucson, Arizona 85726-7210

Approved by Planning Commission
on February 7, 2007

Date of Meeting: January 18, 2007

The meeting of the City of Tucson Planning Commission was called to order by Grace Evans, Chair, on Thursday, January 18, 2007, at 7:03 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda Street, Tucson, Arizona. Those present and absent were:

1. ROLL CALL

Commission Members Present:

Grace Evans, Chair
Robert Patrick, Vice Chair
Katie Bolger
Sami Hamed
Brad Holland
Daniel R. Patterson

Catherine Applegate Rex
Daniel J. Williams
Craig Wissler

Commission Members Absent:

Shannon McBride-Olson
Elizabeth Przygoda

Staff Members Present:

Albert Elias, Urban Planning and Design, Director
Greg Shelko, Rio Nuevo, Director
Leslie Liberti, Office of Conservation and Sustainable Development, Director
Viola Romero-Wright, Senior Assistant City Attorney
Jim Mazzocco, Urban Planning and Design, Administrator
Judith Imhoff, Urban Planning and Design, Lead Planner
Jennifer Burdick, Urban Planning and Design, Planner
Joanne Hershenhorn, Urban Planning and Design, Lead Planner
John Beall, Urban Planning and Design, Lead Planner
Roger Howlett, Urban Planning and Design, Lead Planner
Norma Stevens, Urban Planning and Design, Secretary
Delma Sánchez, City Clerk's Office, Recording Secretary

2. PRESENTATION OF CERTIFICATE LETTER TO ALAN LURIE & FRANK THOMSON

Chair Evans stated this was a presentation to Alan Lurie and Frank Thomson. Regrettably, Mr. Lurie was unable to attend. She asked Mr. Thomson to come forward and stated that Mr. Lurie and Mr. Thomson were long time Planning Commission members and had reached their eight-year term limit. Chair Evans stated that they both had brought a lot of enthusiasm, passion, and great debate to the Commission and they were very grateful for their service.

Mr. Thomson thanked the Commission on his and Mr. Lurie's behalf and wished the Commission well on their endeavors.

3. MINUTES FOR APPROVAL: October 4, 2006

MOTION by Commissioner Patrick, duly seconded by Commissioner Rex, and carried by a voice vote of 9 to 0 (Commissioners McBride-Olson and Przygoda absent) to approve the minutes of October 4, 2006 with a correction to page 8, item 3, third paragraph to read, "Ms. Rex said this was one of the unintended consequences that she did not want to see happen."

4. MINUTES FOR APPROVAL: November 1, 2006

MOTION by Commissioner Rex, duly seconded by Commissioner Patrick, and carried by a voice vote of 9 to 0 (Commissioners McBride-Olson and Przygoda absent) to approve the minutes of November 1, 2006 with a correction to page 3, item 4, second paragraph to read, "Chair Evans asked were there any questions of staff." And a correction to page 1, item 1, correction of Commissioner Hamed's first name to read, "Sami Hamed."

5. RULES OF PROCEDURE SUBCOMMITTEE

Albert Elias, Urban Planning and Design, Director addressed the Planning Commission on this item and said the memo transmitted to the Commission reflected changes that were made. He informed the Commission that the changes were to update the 1997 document to reflect current practice. He stated the options offered were to adopt the changes or to form a subcommittee of the Commission in order to review them in more detail. He acknowledged the work that staff member Jennifer Burdick had done on getting the 1997 documents updated to current practices.

Chair Evans recommended the Planning Commission form a small subcommittee and stated she would be glad to be a part of the subcommittee. She asked if anyone else would like to be a part of the subcommittee.

Commissioner Patrick and Commissioner Holland stated they would also sit on the subcommittee.

MOTION by Commissioner Rex, duly seconded by Commissioner Williams, and carried by a voice vote of 9 to 0 (Commissioner McBride-Olson and Commissioner Przygoda absent) to form a subcommittee to review the Rules of Procedure and the committee would be comprised of Chair Evans, Commissioner Patrick, and Commissioner Holland.

6. SELECTION OF NOMINATING COMMITTEE FOR NEW CHAIR/VICE CHAIR

Chair Evans stated she had taken the liberty in asking Commissioner Patrick if he would chair this subcommittee, with Commissioner Patrick agreeing. Chair Evans also agreed to serve on the committee and asked if there were others who would like to be part of the nominating committee. Hearing none, the Nominating Committee was comprised of Commissioners Patrick and Evans. She said they would bring back the nominations at the next meeting.

7. INFILL SUBCOMMITTEE

Jim Mazzocco, Urban Planning and Design, Administrator explained they had problems meeting a quorum and asked if a couple of other commissioners could be appointed in assisting to meet quorum. The current members consisted of Commissioner Rex, Commissioner Hamed, Commissioner Williams and Commissioner McBride-Olson. Commissioner Hamed removed himself from the committee due to other time commitments. Commissioner Holland and Commissioner Bolger announced their interest to serve on the Infill Subcommittee. Chair Evans said in addition to Commissioners Rex, Williams, and McBride-Olson, they have added Commissioners Bolger and Holland to the Infill Subcommittee.

8. GREEN BUILDING STANDARDS

Leslie Liberti, Office of Conservation and Sustainable Development, Director gave an update on the City's efforts to develop a Green Building program. She explained the Green Building Program was a set of guidelines and those guidelines could take a number of different forms such as:

- Educational guidelines with no points or scoring system associated with them and were good basis of a Green Building program that would be implemented by a jurisdiction.
- Guidelines with ratings or scorings. A system that allocated a certain number of points to various types of Green Building actions.
- Set of guidelines with a certification or verification process and similar to the guidelines with ratings. This process required that compliance with the rating system be either self-certified or third party verification system and allowed to be more objective in the standards but more expensive for builders.

Ms. Liberti described different types of Green Buildings programs in various jurisdictions throughout the country. She explained that municipalities had three options in developing a Green Building program and rating system. They could take one of the "off the shelf systems" that was already in existence and develop it "as is", they could take an existing

system and modify it to local circumstances or they could just develop their own. When the decision was made on what type rating system to use, the next question to address was, if the program would be voluntary or mandatory. Ms. Liberti explained the difference between the voluntary or mandatory program. She explained that the Mayor and Council adopted Sustainable Energy Standard for all future City buildings.

Ms. Liberti explained about a pilot project that the City of Tucson was applying for regarding certification standards for lead buildings. She stated that the City of Tucson was prepared to be more active as a City in this program, and they would be hiring a Sustainable Development Administrator to help move a Green Building Program forward.

Discussion followed regarding:

- The current number of Green Buildings in the City of Tucson and if there was plans in adopting the Green Building Program for residential structures? Ms. Liberti said the City of Tucson currently had four municipal Green Buildings and the future programs would apply to residential and commercial structures.
- Who were the sponsors of the Green Building Council? Ms. Liberti explained they were a large non-profit organization.
- If the City was leaning toward voluntary or mandatory standards? Ms. Liberti expressed the City was leaning toward a voluntary standard and explained the reasoning.
- Until such time the standard would be adopted, would there be some contact person a builder could contact? Ms. Liberti explained that the City Manager's Office was the contact point as that time.

9. RIO NUEVO UPDATE

Greg Shelko, Rio Nuevo, Director gave an update on Rio Nuevo and explained that Rio Nuevo involved almost every department in the City and the direct engagement of the City Manager. He explained the role of Rio Nuevo in making strategic investments in infrastructure and public attractions that would leverage private sector investments, and in promoting a positive investment climate downtown that would insure the streets were safe, an adequate infrastructure, and an adequate transportation system. There were core elements in the plan that would be diverse with multiple attractions. He described different museums and entities contributing to the diversity. Mr. Shelko described various other plans, improvements and developments considered in the community involved in the Rio Nuevo project.

Comments and Discussion followed:

- The plan to accommodate parking. Mr. Shelko explained plans of various parking developments based on future needs as described in the *Five-Year Master Plan*.
- Roadway capacity to handle the volume of traffic. Mr. Shelko explained there were plans that would have a significant impact on traffic mitigation. Some of those immediate plans included the moderate streetcars, improvements to

I-10/22nd Street intersection, the RTA improvements and the new Stevens Alignment.

- The effects on shutting down lanes or capacity of through-traffic in the downtown main streets that would affect traffic in both the major streets and the arterial streets. A traffic analysis may be needed to explore traffic in downtown.
- The possibility of a small area transportation study to determine the capacity of traffic going in and out of the downtown area. Mr. Shelko explained the City of Tucson Transportation Department engaged consultants to examine modeling of the impacts of the street pattern changes and the impacts of future development.
- Discussion on the warehouse district, the artist community and the eviction issue. Mr. Shelko explained that the City was looking at possible ways to find other space in the downtown area for artists if a move was needed due to safety concerns.
- Project on creating a river recreation area and filling the Santa Cruz River. Mr. Shelko said there currently were no plans in place to fill the Santa Cruz River due to cost and water conservation but there were substantial plans on improving the banks along the river.
- Creation of a car free zone for pedestrians in a mixed retail atmosphere with street furniture and trees in any part of downtown. Mr. Shelko explained possibilities would be along Toole Avenue with the “Art Walk”, if it were pursued, it would be more pedestrian oriented than it was car oriented. The Civic Plaza area, given the amount of acreage would have to handle automobiles to get in for the types of venues that would be there, with developers posing sections that would be walkable.
- The number of bicycle commuters and the provisions to accommodate bicycle lanes. Albert Elias, Urban Planning and Design, Director explained the Tucson/Pima County Bicycle Advisory Committee was exploring a study regarding bicycle routes in the downtown area.
- The possibilities of commercial and residential plans for buildings in the Mercado District. Mr. Shelko said Rio Nuevo has a commercial three-story mixed-use building known as the “Brickyard” building, with the ground floor being commercial and possibly take some second floor use. There would also be a mixture of housing consisting of 100 to 150 single family, townhouse style, and some multi-family homes.
- The downtown arena plans and prospective tenants. Mr. Shelko described some of the future plans regarding the arena.

Mr. Elias added the Mayor and Council had scheduled an item regarding the two way street on Broadway/Congress on the Mayor and Council meeting scheduled for Tuesday, February 6, 2007.

10. SWAN ROAD/FLEUR DE LIS-OFFICE P.A.-06-04

John Beall, Urban Planning and Design, Lead Planner gave the presentation on the Swan Road/Fleur de Lis Institute. Mr. Beall said this was a request to amend the *Broadway-Craycroft Area Plan* to allow an office use located on the southeast corner of Swan Road and Calle Jabali. Mr. Beall described some issues and the existing zoning and land use. He said it was the recommendation of staff that the Planning Commission set this item for public hearing.

Discussion followed regarding:

- How long the property had been in use as an educational facility and would the “grandfather” option apply. Mr. Beall replied that the facility was in use as an educational facility since the 1940’s and since there were additional improvements, there was a need to bring the property up to code compliance and code use.
- The purpose and explanation of why the use would be Office (O-2) zoning.

MOTION by Commissioner Patrick, duly seconded by Commissioner Rex, and carried by a voice vote of 9 to 0 (Commissioners McBride-Olson and Przygoda absent) to set the Swan Road/Fleur de Lis-Office for a public hearing to be held on the February 7, 2007 Planning Commission meeting.

Discussion followed.

Commissioner Williams commented that the information included in the Planning Commission packet regarding this item was incomplete and he would like to see more information.

Milton Corey, Executive Director, Fleur de Lis Institute, represented the applicant and provided a brief presentation on the history, background and history of the property. He explained the future plans of the property.

Further discussion followed regarding the purpose of the rezoning since the applicant had removed the building that was in violation. Albert Elias, Urban Planning and Design, Director explained the purpose of the rezoning and said further information would be provided next month.

Commissioner Williams asked that additional information be provided at the next Planning Commission meeting regarding the O-2 zoning, what could be built on this site in the future, and what potential impact this would have in the future.

11. GRANT-ALVERNON AREA PLAN AMENDMENT, ALVERNON/LEE-COMMERCIAL, PA-07-01

Joanne Hershenhorn, Urban Planning and Design, Lead Planner gave the presentation and announced this was a Study Session on the *Grant-Alvernon Area Plan (GAAP)* to allow an area designated on the Conceptual Land Use Map for residential and office purposes to be used for commercial purposes. Her presentation included information on the background of the property, various issues, the existing zoning and land use. She concluded by stating staff recommend the Planning Commission set this item for public hearing at the February meeting.

Don Laidlaw, Laidlaw Consulting, LLC., on behalf of the property owner, CS&Z Holdings Inc. gave a brief presentation on the *Grant-Alvernon Area Plan* and explained improvements, neighborhood interest, proposed use, and overall goals.

Discussion followed on concerns such as:

- The hours of operation and enforcement of the hours.
- The concept of placing a restriction on the area plan.
- The legality in the uniformity of zoning applications.
- The underlining use which drove the zoning to C1 rather than O-2.
- The zoning classification required for that type of school.
- The traffic in relation to a learning institution.
- The possibilities of including additional shade tree landscaping.

Albert Elias, Urban Planning and Design, Director said he would gather more information on how the zoning classification was determined in this case.

MOTION by Commissioner Rex, duly seconded by Commissioner Patrick, and carried by a voice vote of 9 to 0 (Commissioners McBride-Olson and Przygoda absent) to set the *Grant-Alvernon Area Plan* for a public hearing to be held on the February 7, 2007 Planning Commission meeting.

12. NEIGHBORHOOD PRESERVATION ZONE

Judith Imhoff, Urban Planning and Design, Lead Planner gave the presentation and announced this was a Study Session to discuss the Neighborhood Preservation Zone (NPZ) which was a part of an infill strategy attempting to ensure infill development was compatible with surrounding neighborhoods.

Ms. Imhoff gave a brief overview of the Neighborhood Preservation Zone planned amendment and stated this amendment would change the Tucson Code, Chapter 23, of the *Land Use Code (LUC)*. She concluded with the recommendation that the Planning Commission set this item for public hearing on February 7, 2007.

Discussion followed regarding:

- The process of getting the twenty-five percent signatures or initiation of the Mayor and Council and if the specification, rules and actual changes to the zone would be part of the petition.
- The legal consideration of the staff report which indicated the imposition of the Neighborhood Preservation Zone (NPZ) would not be affected by the passing of Proposition 207, since it did not regulate individual property.
- The conclusion of the staff memo that stated this type of zone had been used throughout the country to help preserve the character of distinctive neighborhoods and which cities related to the statement that had worked so well.
- The local control and necessary consistency in applying this plan on a Citywide basis and tailoring distinctive characteristics that the individual neighborhoods were trying to preserve.
- The enforcement of this type of zoning which would include the process and permits and how the information would be available to the public.
- The process of the pre-application conference with City staff.
- The possibility of getting language that the Planning staff would be involved in the planning stages.
- How Development Services would know if this type of plan occurred.
- Since this plan was so well written and the Historic Zone was similar, could the Historic Zone be examined and perhaps rewritten.
- The word “threats” in the first paragraph of the draft was incompatible.
- The clarification of number seven, in the section, “Establishment of, or Amendment to, Neighborhood Preservation Zone”, that read “The neighborhood is subject of a historically recognized public nuisance that can be remedied by the adoption of the NPZ.”

MOTION by Commissioner Patterson, duly seconded by Commissioner Hamed, and carried by a voice vote of 9 to 0 (Commissioners McBride-Olson and Przygoda absent) to set the Neighborhood Preservation Zone for a public hearing to be held on the February 7, 2007 Planning Commission meeting.

13. OTHER BUSINESS

a. Mayor and Council Update:

Jim Mazzocco, Urban Planning and Design Administrator updated the Planning Commission on the C-1 Liquor License item and stated the item went before Mayor and Council on November 28, 2006 and was continued. Mayor and Council asked staff to meet with the restaurant owners and neighbors who were concerned about this issue. Staff met on January 9, 2007 with restaurant and neighborhood people who were interested in that item. Staff was still working with both groups and planning to go back to Mayor and Council in February with a recommendation on where to go from there.

b. Infill Ordinance Update:

Mr. Mazzocco said they were moving ahead on the Neighborhood Preservation and copies were sent out to some stakeholders and to the Infill Subcommittee of the current Mixed-Use draft. He said they would wait a couple of weeks for people to comment on it, make corrections accordingly, and bring back to the Mixed Use Infill Subcommittee in mid to late February.

Mr. Mazzocco reported that a preliminary draft of the Residential Cluster Project (RCP) was still being crafted and they were working with their consultant. He was keeping an ongoing dialogue with the Ad-hoc committee of neighbors and infill developers to get their input and filter their comments on different issues to the consultants to allow the person to work on crafting this draft and take into consideration some of their concerns and interests. Mr. Mazzocco was hoping to meet with the Ad-hoc group in February to get some consensus and bring it to the Infill Subcommittee sometime in late March.

c. Other Planning Commission Items (Future Agenda items for discussion/assignments)

Commissioner Rex said that staff from Development Services had requested some changes to the *Land Use Code*. She wanted to let them know they were in support in moving those changes forward. However, since there was a large agenda in February, a better time to bring this back would be late March or April.

Mr. Mazzocco informed the Planning Commission of an issue in Ward 6 regarding a hotel that needed more height and in order to receive that height, they would need to rezone from C-1 to C-2. They were looking at text amendments where there would be some type of procedure where height restriction could be waived to add more height and looking at some type of public hearing item that would not go to the Board of Adjustment, but a special exception type of procedure instead.

Mr. Hamed asked to have an update on Proposition 207 in a future agenda.

14. CALL TO AUDIENCE

Michael Toney made comments regarding the Rio Nuevo update.

15. ADJOURNMENT: 10:33 p.m.